

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CV-104-FL

TRACY MOODY-WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
LIPOSCIENCE, LOUVENIA)	
CLEMONS and RONALD BESS,)	
)	
Defendants.)	

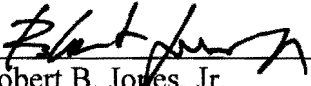
This matter comes before the court on the motion of Plaintiff Tracy Moody-Williams (“Plaintiff”) seeking a conference with counsel for Defendants Liposcience, Louvenia Clemons and Ronald Bess (“Defendants”) [DE-19] and upon Defendants’ motion to continue the Rule 26(f) conference until the court has ruled on Defendants’ partially-dispositive motion pending before the court. [DE-20].

The court has not yet entered its initial order regarding case planning and scheduling requiring the parties to conduct their Rule 26(f) conference, exchange mandatory initial disclosures and submit their Rule 26(f) report to the court. Defendants have filed a motion to dismiss whereby, if allowed, Defendants Bess and Clemons will be dismissed from the case and their participation in the Rule 26(f) conference, initial disclosures and discovery will not be necessary. Other causes of action may also be dismissed upon ruling on Defendants’ motion which would affect the scope of discovery in this action and, in turn, the parties’ respective approach to a discovery plan governing this case. Continuing the issuance of the initial order on case planning and scheduling, the Rule 26(f) conference and the parties’ discovery requirements serves the interests of

the parties and the judicial economy of this court. Defendants' motion indicates that Plaintiff does not oppose Defendants' proposed continuance.

Accordingly, Plaintiff's motion for a conference with counsel [DE-19] is DENIED and Defendants' motion to continue [DE-20] is ALLOWED. The court hereby orders that the Rule 26(f) conference, the entry of a Rule 16(b) Scheduling Order, the deadline for Rule 26(a) initial disclosures and the conduct of discovery in this matter is continued until after the court rules on Defendants' pending partial motion to dismiss the claims in Plaintiff's complaint. The court will issue its initial order on case planning and scheduling after having ruled on the pending dispositive motion.

So ordered, this the 18th day of May, 2012.


Robert B. Jones, Jr.
United States Magistrate Judge